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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/526,363	03/02/2005	Janne Liimatainen	3501-1095	3377

466 7590 04/21/2008

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EXAMINER	
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ART UNIT	PAPER NUMBER
2136	

MAIL DATE	DELIVERY MODE
04/21/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/526,363	LIIMATAINEN, JANNE	
	Examiner	Art Unit	
	Rebecca L. Pachura	2136	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *02 March 2005*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *21-42* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *21-42* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *02 March 2005* is/are: a)☐ accepted or b)☒ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *03/02/2005*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. **Claims 21-42 are presented for examination.**

The claims and only the claims form the metes and bounds of the invention. "Office personnel are to give claims their broadest reasonable interpretation in light of the supporting disclosure. In re Morris, 127 F.3d 1048, 1054-55, 44 USPQ2d 1023, 1027-28 (Fed. Cir. 1997). Limitations appearing in the specification but not recited in the claim are not read into the claim. In re Prater, 415 F.2d 1393, 1404-05, 162 USPQ 541, 550-551 (CCPA 1969)" (MPEP p 2100-8, c 2, l 45-48; p 2100-9, c 1, l 1-4). The Examiner has full latitude to interpret each claim in the broadest reasonable sense. The Examiner will reference prior art using terminology familiar to one of ordinary skill in the art. Such an approach is broad in concept and can be either explicit or implicit in meaning.

Information Disclosure Statement

2. The information disclosure statement (IDS) submitted on 03/02/2005 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Preliminary Amendment

3. The preliminary amendment submitted on 03/02/2005 is duly noted. In the preliminary amendment claims 1-20 are cancelled.

Priority

4. The claim for foreign priority from #20021562 filed on September 02, 2002 in Finland is duly noted.

Drawings

5. The drawings are objected to because Figure 1 and Figure 2 are not labeled. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

6. The abstract of the disclosure does not commence on a separate sheet in accordance with 37 CFR 1.52(b)(4). A new abstract of the disclosure is required and must be presented on a separate sheet, apart from any other text.

The disclosure is objected to because of the following informalities: For lack of support for claim terminology i.e. *"which information is within the knowledge of the network"* claims 26 and 27. Appropriate correction is required.

Claim Objections

7. Claims 22-42 are objected to because of the following informalities: claims 22-32, line 1 state *"A method"* they should state *"The method"*; claims 34-40 state *"An arrangement"* they should state *"The arrangement"*; claim 33, line 3 states *"means comprising"* it should state *"means for comprising"*, line 11 states *"means (314) for"* it should state *"means for"*, line 17 states *"means being"* it should state *"means for being"*, line 18 states *"means; wherein"* it should state *"means for; wherein"*; claim 40, lines 2 and 3 state *"means"* they should state *"means for"*; claim 41, line 14 states *"means,"* it should state *"means for,"*; claim 42, line 6 *"means"* they should state *"means for"* line 11 states *"using at least one"* it should state *"using the at least one"*. Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

8. **Claims 26, 27, 33, 37, and 41 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.**

Claims 26 and 27 recites the limitation *"the knowledge of the network"* in lines 3 and 4. There is insufficient antecedent basis for this limitation in the claim.

Claim 33 recites the limitation *"the location information"* in lines 11, 12, and 15. There is insufficient antecedent basis for this limitation in the claim.

Claim 33 recites the limitation *"the selected decryption key"* in line 16. There is insufficient antecedent basis for this limitation in the claim.

Claim 37 recites the limitation *"the time information"* in line 3. There is insufficient antecedent basis for this limitation in the claim.

Claim 37 recites the limitation *"the location information"* in line 4. There is insufficient antecedent basis for this limitation in the claim.

Claim 41 recites the limitation *"the location information"* in lines 9 and 10. There is insufficient antecedent basis for this limitation in the claim.

Claim 41 recites the limitation *"the decryption key"* in line 11. There is insufficient antecedent basis for this limitation in the claim.

Claim 41 recites the limitation *"the selected decryption key"* in line 15. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

9. **Claims 21-42 are rejected under 35 U.S.C. 103(a) as being unpatentable over US 5243652 (Teare), in view of US 20020078361 (Giroux), and in view of US 6674860 (Pirila).**

As to claim 21, Teare discloses a method for adapting a mobile terminal to a use, the method comprising at least: maintaining location-specific decryption keys in a server (Teare column 1, lines 40-57). Teare fails to teach providing the mobile terminal with data divided into several parts, each part concerning data connected to a certain area and being encrypted at least by a location-specific key.

However, Giroux discloses providing the mobile terminal with data divided into several parts, each part concerning data connected to a certain area and being encrypted at least by a location-specific key (Giroux page 1, paragraph 0014).

It would be obvious to one of ordinary skill in the art at the time of the applicant's invention to combine Teare and Giroux because teach providing location specific decryption keys (Giroux page 7, paragraph 0079).

The modified Teare discloses transporting location information on the mobile terminal from a location service to the server; checking whether or not the location information on the mobile terminal matches to location information on one of said location-specific decryption

keys; sending a location-specific decryption key to the mobile terminal if the location information on the mobile terminal matches to the location information on said location-specific decryption key; and adapting the mobile terminal for use by decrypting the part to which said location-specific decryption key matches (Teare column 1, lines 40-57).

As to claim 22, the modified Teare discloses a method according to claim 21, wherein prior to sending the location-specific decryption key, the mobile terminal requests the location-specific decryption key from the server (Teare column 3, lines 44-47).

As to claim 23, the modified Teare discloses a method according to claim 21. The modified Teare fails to teach wherein the server requests location information from the location service.

However, Giroux discloses wherein the server requests location information from the location service (Giroux page 5, paragraph 0050).

It would be obvious to one of ordinary skill in the art at the time of the applicant's invention to combine Teare and Giroux because they both teach a remote server that determines who gets a decryption key based on who is authorized (Giroux page 5, paragraph 0050).

As to claim 24, the modified Teare discloses a method according to claim 21. The modified Teare fails to teach further comprising requesting the location information from the mobile terminal and, as a response to said enquiry, the mobile terminal transports the requested location information to the server.

However, Giroux discloses further comprising requesting the location information from the mobile terminal and, as a response to said enquiry, the mobile terminal transports the requested location information to the server (Giroux page 5, paragraph 0050).

It would be obvious to one of ordinary skill in the art at the time of the applicant's invention to combine Teare and Giroux because they both teach a remote server that determines who gets a decryption key based on who is authorized (Giroux page 5, paragraph 0050).

As to claim 25, the modified Teare discloses a method according to claim 21, further comprising performing said checking of matching and said sending of said location-specific decryption keys automatically by utilizing location information received by the server (Teare column 3, lines 30-35).

As to claim 26, the modified Teare discloses a method according to claim 21, wherein the location service utilizes the location information on the mobile terminal, which location information is within the knowledge of the network (Teare column 2, lines 36-49).

As to claim 27, the modified Teare discloses a method according to claim 24, wherein the mobile terminal utilizes the location information on the mobile terminal, which location information is within the knowledge of the network (Teare column 2, lines 36-49).

As to claim 28, the modified Teare discloses a method according to claim 21, further comprising checking identification information on the mobile terminal along with the location information before sending the location-specific decryption key to the mobile terminal (Teare column 1, lines 40-57: signature data).

As to claim 29, the modified Teare discloses a method according to claim 21, further comprising checking time information along with the location information before sending the location-specific decryption key to the mobile terminal (Teare column 1, lines 40-57: signature data).

As to claim 30, the modified Teare discloses a method according to claim 21, further comprising checking identification information on the mobile terminal and time information along with the location information before sending the location-specific decryption key to the mobile terminal (Teare column 1, lines 40-57).

As to claim 31, the modified Teare discloses a method according to claim 21. The modified Teare fails to teach further comprising transporting location-specific decryption keys for several parts to the mobile terminal for adapting the mobile terminal.

However, Giroux discloses further comprising transporting location-specific decryption keys for several parts to the mobile terminal for adapting the mobile terminal (Giroux page 1, paragraph 0014).

It would be obvious to one of ordinary skill in the art at the time of the applicant's invention to combine Teare and Giroux because teach providing location specific decryption keys (Giroux page 7, paragraph 0079).

As to claim 32, the modified Teare discloses a method according to claim 21, wherein the adaptation is made for a current use (Teare column 2, lines 11-50).

As to claim 33, Teare discloses an arrangement for adapting a mobile terminal to a use, the arrangement comprising: (Teare column 1, lines 40-57). Teare fails to teach first means comprising data, divided into several parts, each part concerning data connected to a certain area and being encrypted by a location-specific key.

However, Giroux discloses first means comprising data, divided into several parts, each part concerning data connected to a certain area and being encrypted by a location-specific key (Giroux page 1, paragraph 0014).

It would be obvious to one of ordinary skill in the art at the time of the applicant's invention to combine Teare and Giroux because teach providing location specific decryption keys (Giroux page 7, paragraph 0079).

The modified Teare discloses a server arranged to be in connection with a location service through a communication network, the server comprising: location-specific decryption keys; second means for finding out a location of the mobile terminal from a location service in the communication network; third means (314) for comparing the location information on the mobile terminal and the location information on said location-specific decryption keys, and selecting the location-specific decryption key whose location information matches to the location information on the mobile terminal; fourth means for sending the selected decryption key to the mobile terminal, the fourth means being responsive to the third means (Teare column 1, lines 40-57). The modified Teare fails to disclose wherein the mobile terminal is connectable to the first means for providing the mobile terminal with data divided into several parts and the mobile terminal comprises fifth means for decrypting a part by using the location-specific decryption key.

However, Giroux discloses wherein the mobile terminal is connectable to the first means for providing the mobile terminal with data divided into several parts and the mobile terminal comprises fifth means for decrypting a part by using the location-specific decryption key (Giroux page 1, paragraph 0014).

It would be obvious to one of ordinary skill in the art at the time of the applicant's invention to combine Teare and Giroux because teach providing location specific decryption keys (Giroux page 7, paragraph 0079).

As to claim 34, the modified Teare discloses an arrangement according to claim 33, wherein the mobile terminal further comprises sixth means for requesting a location-specific decryption key from the server (Teare column 3, lines 44-47).

As to claim 35, the modified Teare discloses an arrangement according to claim 34, wherein the mobile terminal further comprises seventh means for adapting the mobile terminal for the use (Teare column 2, lines 11-50).

As to claim 36, the modified Teare discloses an arrangement according to claim 33, wherein the second means comprises means for requesting location information on the mobile terminal and means for receiving the requested information (Teare Figure 2).

As to claim 37, the modified Teare discloses an arrangement according to claim 33. The modified Teare fails to teach wherein the location-specific decryption keys are further associated with at least one of the time information and identification information on mobile phones, to be used along with the location information when a location-specific decryption key is selected.

However, Pirila discloses wherein the location-specific decryption keys are further associated with at least one of the time information and identification information on mobile phones, to be used along with the location information when a location-specific decryption key is selected (Pirila column 10, lines 23-39 and Figure 4).

It would be obvious to one of ordinary skill in the art at the time of the applicant's invention to combine Teare and Pirila because they both teach transferring decryption keys based on location information (Pirila column 10, lines 23-39 and Figure 4).

As to claim 38, the modified Teare discloses an arrangement according to claim 33. The modified Teare fails to teach wherein the mobile terminal is one of a group comprising a field computer, PDA, and mobile phone.

However, Pirila discloses wherein the mobile terminal is one of a group comprising a field computer, PDA, and mobile phone (Pirila column 8, lines 12-30 and Figure 9).

It would be obvious to one of ordinary skill in the art at the time of the applicant's invention to combine Teare and Pirila because they both teach transferring decryption keys based on location information (Pirila column 8, lines 12-30 and Figure 9).

As to claim 39, the modified Teare discloses an arrangement according to claim 36. The modified Teare fails to teach wherein the location service is arranged to utilize location information from a mobile phone network.

However, Pirila discloses wherein the location service is arranged to utilize location information from a mobile phone network (Pirila column 1, lines 35-45).

It would be obvious to one of ordinary skill in the art at the time of the applicant's invention to combine Teare and Pirila because they both teach transferring decryption keys based on location information (Pirila column 1, lines 35-45).

As to claim 40, the modified Teare discloses an arrangement according to claim 33. The modified Teare fails to teach wherein the fourth means is further arranged to send, in response to the third means, location-specific decryption keys for several parts for adapting the mobile terminal.

However, Giroux discloses wherein the fourth means is further arranged to send, in response to the third means, location-specific decryption keys for several parts for adapting the mobile terminal (Giroux page 1, paragraph 0014).

It would be obvious to one of ordinary skill in the art at the time of the applicant's invention to combine Teare and Giroux because teach providing location specific decryption keys (Giroux page 7, paragraph 0079).

As to claim 41, Teare discloses a server for a communication system comprising at least a mobile terminal, a location service and a communication network, the server being arranged to be connectable to the location service via the communication network, the server comprising: location-specific decryption keys; first means for finding out a location of the mobile terminal from the location service; second means for comparing the location information on the mobile terminal and the location information on said location-specific decryption keys, and for selecting the decryption key whose location information matches to the location information on the mobile terminal; and third means, responsive to the second means, for sending the selected decryption key to the mobile terminal (Teare column 1, lines 40-57).

As to claim 42, Teare discloses a mobile terminal for a communication system comprising at least a server, a location service and a communication network, the mobile terminal being arranged to be connectable to the server via the communication network, the mobile terminal comprising (Teare column 1, lines 40-57, Figure 1, and Figure 2). Teare fails to teach first means comprising data divided into several parts, each part concerning data connected to a certain area, and being encrypted by a location-specific key; second means for receiving at

least one location-specific decryption key from the server; and third means for decrypting a part by using at least one location-specific decryption key.

However, Giroux discloses first means comprising data divided into several parts, each part concerning data connected to a certain area, and being encrypted by a location-specific key second means for receiving at least one location-specific decryption key from the server; and third means for decrypting a part by using at least one location-specific decryption key (Giroux page 1, paragraph 0014).

It would be obvious to one of ordinary skill in the art at the time of the applicant's invention to combine Teare and Giroux because teach providing location specific decryption keys (Giroux page 7, paragraph 0079).

Prior Art

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. US 5754657 is pertinent because it teaches…Methods for authentication or validation of the location of a putative source (ps) of a message, using time varying location determination (LD) signals that are received from J sources (J>1) of LD signals G(t;j;ps) that are spaced apart from the putative source. The putative source forms an augmented data signal that includes the original message, one or more segments g[t.sub.k(m),t.sub.k(m+1) ; j; ps]=[G(t.sub.r ;j;ps).vertline.t.sub.k(m) .ltoreq.t.sub.r .ltoreq.t.sub.k(m+1)] of the LD signals for a selected time interval, a putative source asserted location L(t".sub.k(m) ;ps) for a time t".sub.k(m) in the selected time interval, and other identifying parameters. The augmented data signal is received by a central station that analyzes the LD signal segments and determines whether the asserted location L(t".sub.k(m) ;ps) is likely to be the true message source location. Part or all of the

augmented data signal can be encrypted for transmission. One application is validation of use of licensed software on a computer whose location may be mobile. Another application is validation of votes cast from a plurality of remote voting sites. US 5787170 is pertinent because it teaches… A database system comprises an individual station with berth means for receiving an optically readable information carrier with local information. The system reads the carrier and furthermore receives remotely supplied secondary information. It has a processor for processing both local information and secondary information to produce output information, and a user interface for presenting said output information to a user. In particular, the carrier has a read-only part, and a write part for storage of at least one decryption key. The processor is arranged for decrypting the secondary information using said at least one decryption key. US 5898680 is pertinent because it teaches… An FDMA/TDM satellite-based digital broadcast system is used to provide digital maps and other types of data to users at remote locations. User selection of the desired data is achieved by monitoring the TDM downlink channels of the broadcast system in accordance with a predetermined schedule or until a specific identification code is detected. The user terminals are equipped with Global Positioning System (GPS) receivers which allow the positions of the users to be determined. Based on the user positions, the user terminals are able to convert general data to location-specific data tailored to the needs of the user. The general data may comprise a digital map covering a wide geographic area, and the location-specific data may comprise a map covering a portion of the geographic region where the user is located. US 20010055392 is pertinent because it teaches… Location data about a mobile entity (20) is provided in encrypted form by a location server (79) to a recipient that is one of the mobile entity (20) or a service system (40) usable by the mobile entity. The location data (P) is encrypted such

that it can only to be decrypted using a secret available to a decryption entity (80) that is not under the control of the recipient. This permits location data (P) to be provided in a confidential manner to service systems (40) and also protects billing relationships between participants. A mechanism is also described for limiting the accuracy of decrypted location data (L) made available to a service system (40). US 7013391 is pertinent because it teaches… A mobile station location server determines the mobile station's location through various location techniques or by receiving the location information from the mobile station over an encrypted channel. The server stores the location in memory that may be access by authorized client access devices. A requesting client access device transmits a request to the server over the Internet. The server authenticates the request to verify that the client access device is authorized to receive the location information. If the client access device is authorized, the server can then transmit the information in either an encrypted or decrypted form to the device. US 20030070067 is pertinent because it teaches… A communication processing system which allows a secure communication with a mobile terminal via a network. The communication processing system includes a server which provides a common key used to encrypt and decrypt data transmitted between communication terminals, and provides information about locations of communication terminals on the network. The server generates a session key and provides it to communication terminals. The server has a database in which location information of mobile terminals is stored. If the server receives, from a calling terminal, data designating a destination terminal, the server searches the database using an IP address of the destination terminal as a search key to acquire the latest location information of the destination terminal, and the server transmits encrypted data including a session key and address data of the destination terminal to the calling terminal.

US 7050583 is pertinent because it teaches… A method of producing a stream of digital data. The method includes determining a plurality of portions within the stream of digital data, such that a portion of the stream of digital data is encrypted with an encryption key that is capable of being decrypted by a decryption key and the portion including therein another decryption key capable of decrypting a subsequent portion of the stream of digital data, and the subsequent portion of the stream of digital data is encrypted with another encryption key that is capable of being decrypted by the another decryption key. The method also includes transmitting the stream of digital data, including the portion and the subsequent portion.

Conclusion

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rebecca L. Pachura whose telephone number is (571) 270-3402. The examiner can normally be reached on Monday-Thursday 7:30 am-6:00 pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nasser Moazzami can be reached on (571) 272-4195. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Rebecca L Pachura/
Examiner, Art Unit 2136

/Nasser G Moazzami/
Supervisory Patent Examiner, Art Unit 2136